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Kevin DeLapp
Converse College, SC

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***Les Mains Sales Versus Le Sale Monde:* A Metaethical Look at Dirty Hands**

Abstract

The phenomenon of “dirty hands” is typically framed as an issue for normative or applied ethical consideration—for example, in debates between consequentialism and non-consequentialism, or in discussions of the morality of torture or political expediency. By contrast, this paper explores the *metaethical* dimensions of dirty-hands situations. First, empirically-informed arguments based on scenarios of moral dilemmas involving metaethical aspects of dirty hands are marshaled against the view that “ought implies can.” Second, a version of moral realism is conjoined with a version of value-pluralism that charitably accommodates and explains the central features of the phenomenology related to dirty hands. It is not simply that agents are or are not justified in getting their hands dirty (*les mains sales*); rather, in certain situations, it is the nature of the moral domain itself to be intractably messy (*le sale monde*), such that dirty hands are unavoidable. The paper concludes by considering some important normative and psychological implications of this view.

Key Words

Dirty Hands; Moral Dilemma; Ought Implies Can; Moral Realism; Pluralism; Tragedy

I. Introduction

The phenomenon of “dirty hands” is frequently framed in the context of primarily normative considerations. In this way, the issue is typically analyzed by posing questions such as whether it is ever morally justified to perform an action which is *ceteris paribus* morally suspicious (if not downright impermissible) for the sake of bringing about a greater overall good. Thus, scenarios of dirty hands are useful “intuition-pumps” to probe the distinctions between consequentialist and non-consequentialist ethical frameworks.

For example, Utilitarianism might be motivated by a somber view of the necessity of getting one’s hands dirty, whereas Kantianism might be expressed by reference to the corrupting nature of an over-willingness to compromise firm moral standards. Similarly, dirty-hands style thought-experiments are also often associated with particular scenarios in applied ethics—for example, in discussions of the ethics of torture, lying, war, capital punishment and abortion.

What has received much less attention, by contrast, have been the *metaethical* implications of dirty hands. That is, what if anything do scenarios of dirty hands suggest about the nature of morality itself? The purpose of this paper is to explore the metaethical commitments implicit in such scenarios, and to lay out a metaethical theory capable of accommodating these commitments. Specifically, I will consider arguments that a charitable and empirically-informed look at the phenomenon of dirty hands undermines any strong version of the “ought-implies-can” precept. On the basis of such arguments, I will defend a form of metaethical realism that I believe constitutes the best explanation of dirty hands. Ultimately, I argue for a “pluralistic” form of realism according to which some instances of dirty hands may be due to intractable moral dilemmas generated by mutually exclusive, but nonetheless realist moral values. If such a view is feasible, then an aspect of dirty hands which is usually attributed as a property of agents (*les mains sales*) can be reconceived as a property of a world that is itself morally dirty (*le sale monde*).

II. Varieties of Dirty Hands

Not all situations of dirty hands necessarily have obvious metaethical significance. For example, one form of dirty hands occurs in scenarios in which an agent subverts a moral principle or consideration for the sake of another good.¹ This other privileged good need not be a moral good—as in situations in which someone tells a “white lie” in order to escape embarrassment, spies on someone solely for personal curiosity or voyeurism, or cheats on a test simply for expediency. In other words, these situations of dirty hands involve “cutting corners” with moral principles. I take it that the worry about this form of dirty hands is twofold: on the one (dirty) hand, an agent reasoning in such a manner is easily susceptible to a slippery-slope in which justifying increasingly egregious moral violations—“just this once”—becomes easier as de-sensitization and the psychological pressure to act consistently with previous actions build momentum. On the other (dirty) hand, there is a related worry that if the firm universality of moral principles is allowed to be sacrificed in any situation, it could easily be sacrificed in *every* situation on the basis of subjective, self-serving rationales. This form of moral dirty hands—namely, when an agent bends or breaks a moral consideration for the sake of a competing *non*-moral good—is surely a fascinating phenomenon that deserves serious attention; but it is primarily a psychological issue, not a metaethical one.

Compare the above type of dirty-hands scenario with a situation in which an agent subverts a moral consideration for the sake of another *moral* consideration. For example, let us assume that not lying is an uncontroversial moral obligation *ceteris paribus*. It is easy to imagine a situation in which lying is the only mode of avoiding a greater moral evil—say, the suffering of ten innocent people. A common way to present the issue of dirty hands is as a conflict of just this sort: there are two moral considerations, each of

which are *ceteris paribus* obligatory, but each of which is also mutually exclusive at a practical level. *Pace* a very rigorous form of deontology, it seems plausible that many people would not have too much difficulty legitimizing the sacrifice of truth-telling for the sake of preventing so much needless suffering. In such a case, although the agent in such a moral dilemma would have to dirty his or her hands by telling a lie, the second good (viz. preventing suffering) might be thought to outweigh or override the first good (viz. telling the truth). Or it might not, and we might insist that lying constitutes such an egregious moral wrong that it can never be justified. Regardless of how we view this conflict, though, it is essentially a normative question and need not by itself raise metaethical concerns.

By contrast, to see how metaethical considerations may arise in vis-à-vis dirty hands, consider a third form of moral dilemma: a case in which a moral consideration competes with another, mutually exclusive moral consideration (as in the above example), but where neither consideration can be out-ranked or overridden by the other. Instances of this oft-ignored variety of dirty hands have been offered under the guise of “trolley problems” since Philippa Foot popularized the genre.² For example, consider Bernard Williams’ depiction of poor Jim who finds himself in a situation in which he must choose between killing one innocent person himself or allowing another man to kill twenty innocent people; or J.J. Thomson’s infamous scenario of a runaway train whose conductor must choose between allowing the train to continue on its course, thereby killing five people, or derailing the train to kill just one person instead.³

Such trolley-scenarios are a basic food group for nourishing debates about the difference between active and passive actions, the so-called doctrine of double effect, and

the neurological and emotional correlates of the decision-procedures that are involved in responding to such scenarios.⁴ All such analyses are essentially normative in focus.

Indeed, Williams' presentation of Jim's dirty hands is articulated explicitly in the context of a critique against one normative theory (Utilitarianism) in favor of another (Virtue Ethics) which he believes can better accommodate the importance of integrity in Jim's situation. Most other trolley-style thought-experiments are designed to probe similar normative questions. For example, are passive allowances less culpable than active performances? Are outcomes which are foreseen, but not directly desired relevant to ascriptions of moral blame and praise? What are the roles of emotional factors in moral response and decision-making? These are very important normative questions, but what is interesting about such scenarios from a metaethical perspective is what, if anything, they reveal about the structure of moral values and the messiness of the moral domain itself.

Two important clarifications need to be made at this point before considering any further metaethical analysis. First, I do not mean to suggest that there is any unbridgeable schism between the three types of moral conflict described above. Obviously, the domains of moral psychology, normative theory, and metaethics cannot and should not be completely separated: considerations from one domain have important implications for other domains. Indeed, the argument in subsequent sections will utilize precisely such a relationship—arguing in favor of a metaethical position in an effort to charitably accommodate certain psychological data, and in a manner that yields practical normative results.⁵ My point in distinguishing these three varieties of dirty hands is simply to point out that metaethical considerations are often neglected in analyses of dirty hands, where

psychological and normative dimensions are instead privileged. Thus, although it is metaethics that are of central importance in the third scenario of dirty hands (i.e. in which conflict is generated by mutually exclusive, but equally-obliging moral considerations) this is *not* to say that such a scenario does not also raise its own psychological and normative issues.

A second point to address is whether we are justified in believing that moral dilemmas of this third variety exist at all. Despite a ubiquity of fictional examples (explored in more detail in the next section), many theorists have found it quite controversial that two or more moral considerations could intractably conflict. Consider Kant’s stark assertion that, “a *conflict of duties* and obligations is inconceivable (*obligationes non colliduntur*).”⁶ John Stuart Mill expressed a similar conviction: “If utility is the ultimate source of moral obligations, utility may be invoked to decide between them when their demands are incompatible.”⁷ The pressure on both Kant and Mill to deny the possibility of fundamental moral dilemmas presumably stemmed from their theoretic commitments to singular principles of morality which could algorithmically decide between two options.⁸

However, there is also a more basic anxiety generated by taking such fundamental moral dilemmas seriously—namely, that agents could find themselves in situations where they are morally responsible for unavoidable wrongdoing, which does not seem “fair.” This anxiety is closely connected to the familiar “ought-implies-can” principle, about which I shall have more to say in the subsequent section. Specifically, I shall argue that the application of the principle of charity to our actual moral experience provides strong warrant for mediating this commitment to fairness. For the present, though, the argument

only requires the recognition that at least *prima facie* attention be given to apparent situations of incommensurable conflict as a datum requiring explanation.⁹

With these caveats in mind, we may summarize the discussion so far: situations of dirty hands can be differentiated into at least three distinct varieties. Bending or breaking a moral principle, or subverting a moral consideration, might occur for any of the following reasons: (1) *First*, an agent might dirty his or her hands by subverting a moral consideration for the sake of a competing non-moral good, e.g. lying to escape embarrassment or for expediency. This form of moral dirty hands is primarily a psychological matter. (2) *Second*, an agent might dirty his or her hands by subverting a moral consideration for the sake of a competing moral good that out-ranks or overrides it, e.g. lying to bring about a greater moral good. This form of dirty hands is essentially an issue for normative theory to address. (3) And *third*, an agent might dirty his or her hands morally by subverting a moral consideration for the sake of a competing moral good that does not out-rank or override it, nor is out-ranked or overridden by it. Although this third type of situation raises a host of psychological and normative questions, it also uniquely raises metaethical issues. I turn to an analysis of such issues now.

III. “Dammit, Jim!”

A large part of the fascination with the sort of dirty hands that arise in Williams’ and Thomson’s examples is the perennial fascination with *tragedy*. After all, part of what arouses the complex, but potentially cathartic response of fear and pity which Aristotle identified in the reception of classical tragedy is a recognition that certain situations present impossible options for anyone unlucky enough to be trapped in them. The tragedy

in Sophocles’ *Antigone*, Shakespeare’s *Hamlet*, or William Styron’s *Sophie’s Choice* is that the central characters cannot help but get their hands dirty morally. Antigone must either violate a perceived moral duty to her deceased brother (as well as the gods) *or* violate a moral duty to her king and uncle; Hamlet must either allow the injustice of letting his father’s murderer to go unpunished *or* bring ruin upon himself and the state; and Sophie of course must either sacrifice her son Jan *or* her daughter Eva (or both). Non-action is not a conceptually available option. These situations are, to borrow William James’ terminology, “living, forced, and momentous.”

Examples of truly tragic scenarios of dirty hands are ubiquitous in literature and film. Of course, it may be the case that such dirty moral dilemmas capture our imagination in the way they do because they are (thankfully) rare occurrences in the everyday life of most people. For this reason, it might be objected that they are of questionable “ecological validity,” representing unrealistic, romanticized, and sensationalized possibilities about which everyday agents have no clear or reliable intuitions at all.¹⁰ Such reasoning, though, would fail to explain why the tragedies of *Antigone* and *Sophie* resonate as deeply as they do: why else would we return to tragedy unless it proffered a possibility or expressed an anxiety to which we could relate? Furthermore, there may be compelling reason to believe that deep-rooted moral conflicts are more commonplace than many agents would like to acknowledge. For example, becoming cognizant of the challenges of global warming or world hunger will quite arguably engender a sensitivity to the tragic depth and real enormity of the issues. It may become difficult to see how we are not dirtying our hands any time we order an unnecessary appetizer for dinner or use gasoline while driving on vacation.¹¹

To highlight the metaethical aspect of moral tragedies, let us return to Williams' scenario of Jim who, recall, is being forced to decide between killing one person or letting twenty people be killed. There are obviously interesting psychological and normative questions of what desiderata go (or should go) through Jim's mind, whether he responds emotionally or rationally, what parts of his brain become activated during his deliberation and response, and what normative theory best captures our intuitions about which option Jim should choose. But even a complete analysis of all these issues would, I believe, neglect one important dimension of the phenomenology of Jim's dilemma—namely, that it is inescapable. No matter which option Jim chooses, nor which normative theory we prefer, Jim cannot escape from the tragedy of being confronted with two incommensurable moral considerations. His tragedy is that each moral consideration—viz. not killing an innocent person and not letting twenty innocent people be killed—is individually compelling and *ceteris paribus* obligatory. A normative theory which attempts to defuse this conflict by privileging one consideration over another would seem to miss the poignancy of Jim's plight. He is damned if he does and damned if he doesn't. It will matter not at all whether a Utilitarian tells him that he is required to kill the one to save the twenty, nor whether a Kantian tells him it is permissible to passively allow the twenty to die provided he does not violate the categorical imperative by actively killing the one; the situation has tragically forced Jim's hands to become dirtied no matter what he decides.

Indeed, we would regard Jim as morally deficient were he to calmly explain his reasoning in favor of either of the options by appealing to a normative theory that justified his decision, and then go confidently on his way with no feelings of guilt. In

other words, it seems appropriate to say that were Jim *not* to feel as if his hands had been dirtied by his unavoidable participation in the encounter—even though he could not prevent it—it would reflect very poorly on his character. Williams himself has made a similar point about Jim’s situation, and has stressed that it may be impossible for Jim to solve his dilemma “without remainder” in this way.¹²

The difference between Williams’ account and my own concerns how best to characterize the emotion that constitutes such a remainder. For Williams, this emotion is best described as a species of regret. However, this characterization appears insufficient since regret is an emotion that may be felt impersonally—that is, one need not feel personally responsible in order to regret that something is the case.¹³ And it is precisely the *personalization* of moral dirtiness that I am arguing reflects positively on Jim’s reaction to his dilemma. While I agree with Williams’ insight that Jim is left with a “remainder,” I argue that this emotional residue is best analyzed as guilt, which better captures the personalization requirement.¹⁴

How people emotionally respond to situations where external states of affairs seem to conspire to force them to dirty their hands is often more important to our moral assessment of them than their particular actions themselves.¹⁵ To appreciate this point, consider Jim’s dilemma as expressed as an exclusive disjunction, where “A” abbreviates the option “kill one innocent person” and “B” abbreviates the option “let twenty innocent people be killed,” such that:

$(A \vee B) \ \& \ \sim (A \ \& \ B)$

I argue that we morally admire those individuals most who respond in a personalized way to the *disjunction itself*, regardless of which specific disjunct they end up acting upon.

Whether Jim acts on “A” or acts on “B”, he ought to (and probably will) feel morally bad about failing to act on the other option excluded by his choice.

This is to say that Jim should feel bad because his hands are dirty regardless of how they became dirty or whether their being dirty was preventable. It will no doubt strike many as unfair that we should be this hard on Jim. After all, the fact that he is in such a plight in the first place seems a matter of arbitrary bad “moral luck.”¹⁶ And a deeply-rooted precept in normative theorizing is that agents can only be properly held morally accountable for actions that they have deliberative control over: the so-called “ought implies can” dictum.¹⁷

However, the “ought implies can” principle has come under recent scrutiny precisely on the grounds of its phenomenological inaccuracy.¹⁸ After all, individuals regarded as moral exemplars often report feelings of personal guilt for failing to perform actions which were rendered impossible due to the nature of the dilemma. Nor is it the case that these feelings of guilt are disadvantageous byproducts of an exemplar’s hyper-developed moral sensibility. Recent experimental research has suggested that guilt—even when it violates the “ought implies can” principle—has a great deal of positive motivational efficacy. For instance, a recent study by David Amodio, et al. (2007) concluded that *racial* guilt can be associated with positive changes in moral motivation and behavior. Specifically, Amodio targeted the phenomenon of “white-guilt”— feelings of guilt on the part of a white individual for racial injustices committed by other whites historically. White test-subjects who had expressed deep moral concern for the treatment

of blacks were shown a multiracial series of faces while brain activity was monitored. Counterfeit results were then given to the subjects falsely indicating that their brain activity had evidenced biased responses against black faces. Although this caused feelings of guilt in the subjects (who were of course debriefed after the conclusion of the experiment), when presented with opportunities to engage in prejudice-reducing activities (e.g. reading anti-bias educational literature or volunteering for racial-awareness events), they responded with greater than normal alacrity.

The Amodio study is a perfect expression of the type of tragic dilemmas that have metaethical relevance for dirty hands because a white individual need not be personally responsible for the actions about which he or she nonetheless feels guilty—he or she is placed in a tragic social environment of inherited racial privilege and may feel “guilty” about this even if he or she is not otherwise personally biased or prejudicial. In this way, as Bas van Fraassen has argued, tragic moral dilemmas embody a type of “original sin.”¹⁹

The history of normative theory is largely one of resistance to this type of tragic dirty hands. And with good reason: if part of the impetus for normative theorizing is to provide some sort of practical guidance about how to live and what to do, then allowing for the possibility that our hands can sometimes get morally dirty no matter what we choose threatens to render normative theorizing impractical.²⁰ Consider a popular expression of precisely this resistance: in the movie *Star Trek II: The Wrath of Kahn*, the commanding officer of the starship Enterprise is confronted with a training exercise in which she must choose between allowing the crew of an allied ship to die or else protect them by violating a treaty and potentially starting a war. This exercise is dubbed the “Kobayashi Maru Test,” after the eponymous ship in distress. Unbeknownst to the

officer, this exercise has been rigged as a tragic moral dilemma, expressible as the sort of exclusive disjunction described above. Whichever option she chooses, the training program will respond by rendering a morally unacceptable outcome: if she chooses to save the allied ship, her own crew will die and a war will be initiated; and if she chooses to abandon the allied ship, its crew will die. As in Williams’ situation with Jim, the officer must get her hands dirty regardless of which option she chooses because the very nature of the exercise has been predetermined to be morally messy.

As James T. Kirk later makes clear, the exercise is less a test of what the officer *should* do—since, after all, she *should* perform each of the mutually exclusive actions, which is impossible—and is more an assessment of *how* she responds to the inevitability of getting her hands dirty. Of course, the officer understandingly continues to question not only her actual decision, but the very legitimacy of the tragic disjunction itself. The history of normative theory reveals a similar resistance in the form of continual attempts to identify some over-arching principle or value that could algorithmically ground a finite decision-procedure, capable of resolving any moral dilemma. Kirk’s own actions (revealed later in the movie) embody a similar faith: he “solves” the Kobayashi Maru dilemma only by rewriting the program to allow for a single solution with no casualties. This is a version of the familiar trope of the super-powered comic book hero who is able to perform both options in an exclusive disjunction which, for mere mortals, would be impossible.

I suspect that the reason why we relegate such fantastic resolutions of moral dilemmas to the realms of science fiction, fantasy, and comic books is because we recognize the fact that real-life is much messier than we would prefer. Captain Kirk and

other heroes of fiction can preserve the pristine cleanliness of their characters by utilizing the resources of their idealized worlds. The real world, by contrast, all too often forces us to get our hands dirty despite our best intentions and our most careful analyses. Whereas the fictional hero is great because he or she always finds a way to avoid dirty hands, real-world heroes are great when they respond in sensitive ways to the inescapable metaethical reality of dirty hands.

To summarize this section, it has been argued that certain moral dilemmas are uncomfortably ineliminable, such that agents cannot escape getting their hands dirty. The moral dirtiness of the world itself (*le sale monde*) is what tragically forces us to dirty our own hands (*les mains sales*). I have argued that this messiness in the moral domain cannot be eliminated or avoided despite very strong theoretic as well as existential pressure to do so, and that a certain sense of personal guilt in response to it is appropriate and praiseworthy (as well as motivationally efficacious). In the subsequent section, I turn to a more detailed discussion of a metaethical theory capable of accommodating this view of dirty hands.

IV. Filthy, Dirty Moral Realism

It might be thought that the simplest explanation of the moral messiness argued for in the previous section would be to embrace some version of metaethical relativism. In other words, it could be that the reason why clean-cut moral distinctions and principles fail is because they represent interest-driven human conventions, constructed and projected onto the world to address particular cultural factors and challenges. Since these cultural factors and challenges will obviously vary between cultures, the respective

conventions and attitudes that arise as a result of them will *ipso facto* vary as well. Moral dilemmas, according to this line of reasoning, result from the conflict of one or more conventions which themselves arose for distinct purposes.²¹

David Wong has provided an influential and powerful defense of a version of just such a view, which he calls “pluralistic moral relativism.”²² To motivate this view, Wong adopts a causal-historical theory of reference, according to which a statement’s meaning is established by some initial “dubbing ceremony.” Since different dubbing ceremonies will yield different meanings, reference transmission can thus result in a plurality of extensions for moral predicates. What is essential for Wong (in order to distinguish his sophisticated view from a cruder “anything-goes” relativism) is that this plurality of moral extensions is largely constrained by the conjunction of the coordinative function of morality with the biological nature of humans. Since there are only so many ways to successfully coordinate intra- and interpersonal conflict in consonance with our biological needs, the number of acceptable reference-fixing descriptions will not be infinite.

This is not the place to adequately assess the strengths and weaknesses of Wong’s pluralistic moral relativism. Instead, I want to sketch an alternative understanding of the metaethics of moral dilemmas that is compatible with moral realism. Specifically, I want to defend a pluralistic moral *realism* that better accommodates the phenomenology of tragic dirty hands described in the previous section.

By “moral realism” I mean to refer to the view that: (1) moral statements are truth-apt (a.k.a. cognitivism); (2) at least some of these statements are in fact true; and (3) to say that a statement is “true” is to say that it bears a correspondence to features of the

world which exist independently of the evidence or beliefs of anyone (or of everyone, or even of epistemically idealized agents). I think this definition of moral realism is relatively uncontroversial and is non-committal with respect to more specific metaethical debates—such as the nature of moral knowledge, moral motivation, or even which moral propositions are actually the true ones. Note, though, that this definition does exclude as genuinely realist any view which interprets truth according to non-correspondence theories. Thus, for instance, sophisticated non-cognitivist accounts which preserve moral “truth” by reference to deflationary or minimalist theories of truth are not legitimate expressions of moral realism proper.²³ Of course, a fully satisfactory account of moral realism will need to specify these further commitments and defend realism from its numerous objections—viz. that it is metaphysically spooky, unable to articulate a parsimonious ontology of value, epistemologically quietistic, and unable to account for the practical/motivational role that morality is supposed to play. However, my purpose in this paper is not to defend moral realism *per se*, but simply to suggest that realism can best accommodate the phenomenology of dirty hands described above when it is conjoined with pluralism. Moral realism might prove unattractive for a host of other independent reasons, but a pluralistic form of it at least has the virtue of making sense of why we feel and act the way we do in situations of tragic moral dilemmas.

To further clarify, let us understand “pluralism” in a specifically ontological sense. This represents a departure from how “pluralism” is typically used in moral philosophy, which is in a normative sense—for instance, as a recommendation about how we should judge or act with respect to morally different practices. Such pluralists will be respectful of moral differences (to a certain extent) on a variety of normative grounds:

perhaps because they believe that they are not epistemically justified in claiming to know which moral beliefs and practices are the right ones; or perhaps because they think that it is rude or even politically dangerous to insist on one single “right way.” Though the specifics may vary quite a bit, it is typically in this normative sense that pluralism is discussed in ethics.²⁴ By contrast, *ontological* pluralism is less of a thesis about how we should live and act, and instead a thesis about what sorts of things exist. A moral version of ontological pluralism posits the existence of multiple moral values which cannot be conceptually reduced to one another, subsumed by any single higher-order value, or accommodated under any umbrella concept.

The conjunction of moral realism (as defined above) with an ontological pluralism of value has been a neglected option in metaethics. As we have seen, when pluralism is normally addressed, it is in a primarily normative sense. When pluralism *is* deployed ontologically—as by Wong, for instance—it is associated with metaethical *relativism*. According to pluralistic moral *realism*, though, there exists a multiplicity of nonetheless belief-independent values that are irreducible to one another. In this way, pluralistic moral realism would render the question that is often put to moral realists as to whether there is “a single moral value” misleading, conflating two distinct questions into one. Is there moral value? The pluralistic realist answers *yes*. Is this value singular? The pluralistic realist answers *no*. Thus, pluralistic moral realism acknowledges that the moral landscape might be messy and defiant of our desire to simplify it; and that it is anthropocentric hubris to think that moral reality must answer to our psychological need for parsimony.

One initial worry regarding pluralistic realism is that it fails to adequately differentiate itself from the relativist alternative defended by Wong, and so should not be properly called realism at all. For how can we say that moral value is “real” if there can be multiple conflicting values? This objection would have us view pluralistic realism as logically inconsistent. Ontological pluralism maintains that there could be two right things to do in a single situation because there could be two irreducible, but equally objective moral values operative in that situation which generate two different, incompatible moral considerations. Therefore (so goes the objection), pluralistic realism would appear to leave us in an impossible position: an agent should perform action Φ as dictated by value α , but at the same time the very same agent should perform action Ψ as dictated by value β , where Φ and Ψ are inconsistent and where α and β are inconsistent.

However, this objection conflates two distinct ways in which propositions can be inconsistent. *Logical* inconsistency obtains just in case one proposition formally entails the negation of another proposition. Thus, the statements “My pen is blue” and “My pen is not blue” are logically inconsistent (provided we mean the same things by the terms in each sentence and that we are evaluating their truth from the same perspective, e.g. in the same light, etc.). The present objection would have us view conflicting moral obligations as similarly inconsistent: the sentence “I should save Rob from the axe-murderer” is as incompatible with the sentence “I should not save Rob from the axe-murderer” as are the two sentences about the color of my pen.

Of course, expressed in this way there *is* a logical inconsistency between the two moral propositions. The truth of one formally entails the negation of the other, such that we cannot think of both as true at the same time. However, this is a strawman of

pluralistic realism. The kind of intractable moral conflicts pluralistic realism wants to take seriously (e.g. those that confront Jim, Sophie, and the Star Trek officer), concern moral propositions whose truths are only *practically* inconsistent. For example, in Jim’s scenario, pluralistic realism maintains that there may be two moral obligations: (1) *protect innocents* and (2) *do not commit murder*. Fulfilling both of these obligations is impossible within the confines of Jim’s scenario. But this impossibility is characterized by *practical*, not logical inconsistency. There is no formal contradiction between the propositions “I should protect innocents” and “I should not commit murder,” as revealed by the fact that we can easily think of cases in which the two are conjoined, e.g. an innocent person is precisely someone whom I ought not to murder. If the conflicting moral obligations were expressed as “I should protect the innocent” and “I should not protect the innocent,” then there *would* be a logical inconsistency. But pluralistic realism need not (nor would any plausible theory) maintain that we have duties *against* protecting innocents. We may have countervailing considerations that outweigh protecting innocents, but this hardly constitutes a duty not to protect them *ceteris paribus*. Thus, pluralistic realism recognizes the existence of multiple, realist moral values which may generate incompatible moral obligations. But such conflicts are due to practical limitations, not logical or formal inconsistencies.²⁵

However, even if the conflicting obligations of pluralistic realism are only practically inconsistent, can we really call a view “realist” if it affirms an infinite number of moral values? According to this objection, allowing more than one ultimate moral truth threatens to open the flood-gates, inundating our ontology with so many values as to effectively obviate the very meaning of “moral value.” Thus, pluralism risks backfiring

on realism, initiating a slippery-slope to the very relativism the view was trying to avoid. To arrest this slippery-slope, pluralistic realism will need to provide some standard that recognizes only a *constrained* amount of fundamental values in a non-arbitrary way.

Fortunately, the pluralistic realist does not need to decide precisely *which* values are the real ones—although clearly a more detailed discussion of this issue would be necessary for a complete defense of the view. Indeed, a benefit of the realist position is that the proponent may assume a humble agnosticism about particular moral truths. For pluralistic realism is a thesis about the status of moral value, not necessarily about its content; the pluralistic realist claims only that there *are* belief-independent moral values, not that he or she necessarily knows what they are.

As for the worry that the plurality of moral values could slippery-slope into affirming so many values as to effectively affirm none, it is encouraging to observe that it has so far been unrealized. Empirical research in social psychology and cross-cultural anthropology have given at least some reassurance that the plurality of moral values is constrained to a small, finite handful. Richard Shweder and Jonathan Haidt have argued that experimental moral psychology is moving increasingly toward an affirmation of pluralism.²⁶ Haidt has more recently collated fundamental values according to distinct “modules” and argues that different cultural practices and moral commitments seem generally be reducible to some combination or privileging of these basic values.²⁷

The specifics of such empirical arguments may be contested, and different anthropologists may gerrymander “modules” in somewhat different ways. But despite this, there are compelling hermeneutical reasons to assume that value-pluralism cannot vary *radically*, for the simple reason that we can understand most moral differences as

not only differences (which presupposes that we can make sense of them at least enough to categorize them *as differences*), but also frequently *as moral*. For example, though I might disagree with someone’s defense of the moral legitimacy of capital punishment, I do not thereby think such a defender is being nonsensical or necessarily immoral. I might understand and even morally appreciate the competing moral considerations and values operative in such a defense, even if I do not personally find such considerations or values salient or compelling. Or, to take another example, it may be the case that many Americans place less moral importance on social harmony or role expectations as might Japanese or Indian persons,²⁸ but it’s not as if such values are thereby incomprehensible or utterly foreign *as moral values*.²⁹

In addition, some of the discrepancy between different empirical accounts of pluralist values can also be accommodated by the recognition that the moral domain might permit of a degree of vagueness and indeterminacy. That is, plausible candidates for fundamental values (e.g. compassion) may be plastic enough to allow for multiple ways of framing and instantiating them (e.g. love, friendship, kindness, concern, sympathy, etc.). Richard Boyd has notably offered this sort of argument as part of his own defense of moral realism by characterizing moral predicates as “homeostatic property-clusters.”³⁰

Finally, an advantage of pluralistic realism is that it charitably makes sense of the phenomenology of tragic moral dilemmas that has been explored above. Recall that certain scenarios of dirty hands seem generated by features of external states of affairs that seem to conspire to force agents to do something (or fail to do something) about which they would (or should) appropriately feel guilty. Pluralistic realism can resolve the

apparent paradox of claiming that agents ought to perform two mutually exclusive actions by characterizing the moral dilemma as an instance of conflict between two irreducible or incommensurable moral values. Thus, the reason why it makes sense for Jim, Sophie, or the Star Trek officer to agonize over their plight, and to feel guilty no matter which choice they make, is because they failed to fulfill a *real* obligation. The fact that they could not practically have fulfilled an obligation does not obviate the fact that they ought to have fulfilled it. Their hands are dirtied despite their best intentions, not because of a sacrifice made in the name of expediency or a greater good, but simply because *le sale monde* dooms them.

I argue that this phenomenology of intractable moral dilemmas (and the attendant feelings of guilt) are important aspects of our moral consciousness that are worth preserving in a plausible metaethical theory. If this is the case, then pluralistic realism has *prima facie* support. This is not to say that pluralistic realism has any sort of monopoly on moral guilt. Relativism or other monistic varieties of realism can also account for experiences of guilt. However, on the one hand, relativism would provide no compelling explanation of why we experience tragic moral dilemmas in the objectively-generated way we do, i.e. why we would not simply write it off as a relic of convention. And monistic realism, on the other hand, would fail to account for why we feel that competing moral considerations cannot be ranked or systematized in a way that obviates the dilemma.

So to summarize the argument in this section, we have attempted to take seriously the apparent reality that certain moral dilemmas are such that we are forced by the world to dirty our hands. These scenarios are experienced as both objective and irresolvable,

such that we even assess moral character on the basis of responses to this dirtiness. The under-appreciated conjunction of ontological pluralism with moral realism allows us to save and explain both these phenomena in a charitable way: we are forced to get our hands dirty when we are confronted with plural obligations which represent values that are equally real as well as practically inconsistent.

V. The Limits of Moral Hygiene: Living with Dirty Hands

The metaethical position described above presents us with a deeply unforgiving and messy moral universe. Negotiating such a chaotic terrain without sullyng one's character by ever subverting a moral consideration will be either a matter of exceptional good luck or else exceptional moral blindness. What seems much more probable is that the vast majority of people are coerced into getting their hands dirty by inescapably subverting a moral consideration in some tragic dilemma. I have argued that this view has the following advantages: (1) it frames the phenomenon of dirty hands as a metaethical issue, and not merely a psychological or normative one; (2) it preserves and explains our intuitions about feeling guilty for not performing both options in an exclusive moral disjunction; and (3) it motivates an under-appreciated option in metaethical theory (viz. pluralistic moral realism) which can charitably do justice to all these explananda.

In this section, I conclude by briefly suggesting other possible advantages of pluralistic moral realism and its understanding dirty hands. For one thing, we have already seen examples of how guilt—even guilt that flies in the face of the “ought implies can” precept—can be motivationally and behaviorally efficacious. Recall the Amodio study discussed earlier about the positive repercussions of inherited racial guilt.

Furthermore, guilt about failures to perform inconsistent actions might help stimulate us to act better morally in the future. For a life with no feelings of guilt could too easily be associated with the illusion of moral perfection—a life in which we rest on our moral laurels. If morality only requires of us what we *can* do, then we arguably lose incentive to increase our capacities for action. In other words, we may be tempted to be complacent, confident that we have met our “moral quotas.”

The recognition of tragic dirty hands can also help instill in us a deeper sensitivity to the moral shortcomings of others. If situations of conflicting obligations reveal the difficulty (or even the practical impossibility) of moral perfection, it seems plausible that this could result in a feeling of solidarity since no one is morally perfect. Indeed, recall that for Aristotle, the *katharsis* of tragedy consists in a recognition that the tragic figure is both imperfect (thereby generating *pity*) as well as relevantly similar to one’s self (thereby generating the *fear* that such a tragedy could befall one’s self just as easily).³¹ The tragic situations of dirty hands explicated by pluralistic realism might offer an analogue to Aristotelian *katharsis*: we often feel a beneficial camaraderie when we recognize that others go through difficulties—even impossibly tragic dilemmas—just as we do. After all, this seems to be a large part of the reason why support-groups seem to function as well as they do.

To conclude, I have argued that the phenomenon of dirty hands raises significant metaethical questions in addition to the psychological, normative and political ones which are typically the focus of discussion. Specifically, the metaethics of taking dirty-hands scenarios seriously seems to be one in which the moral world itself is revealed as messy (*le sale monde*), forcing agents to dirty their hands in defiance of the “ought

implies can” principle. After appealing to a variety of thought-experiments as well as some empirical data, I argued that *pluralistic moral realism* can best accommodate and explain this metaethical dirtiness.

Kevin DeLapp
Converse College, SC

¹ I say moral “consideration” in order to allow for the possibility that moral values resist codification into formal, abstract moral principles. In other words, I mean to remain agnostic about the prospects of ethical “particularism” or anti-theoretic expressions of ethics. For further discussion of ethical particularism, see Brad Hooker and Margaret Little, eds. *Moral Particularism* (Oxford University Press 2002); for a classic discussion of anti-theory in ethics, see Bernard Williams, *Ethics and the Limits of Philosophy* (Harvard University Press 1985).

² Philippa Foot, “The Problem of Abortion and the Doctrine of Double Effect,” in *Virtues and Vices* (Oxford: Basil Blackwell 1978).

³ Bernard Williams, *Utilitarianism: For and Against* (Cambridge University Press 1973); J.J. Thomson, “Killing, Letting Die, and the Trolley Problem,” *The Monist* 59.2 (1976).

⁴ cf. Joshua Greene, et al. “An fMRI Investigation of Emotional Engagement in Moral Judgment” in *Science*, vol. 239 (14 Sept. 2001). For a more general discussion of the relationship between ethics and experimental philosophy, see Joshua Knobe and Shaun Nichols, *Experimental Philosophy* (Oxford University Press 2008).

⁵ Such a metaphilosophical project has been notably defended by Owen Flanagan under what he calls the “Principle of Minimal Psychological Realism,” which requires that the construction of an acceptable moral theory must be informed by what is “possible, or perceived to be possible, for creatures like us” (Flanagan, *Varieties of Moral Personality*, Harvard University Press 1991, p.32).

⁶ Kant, “The Doctrine of Virtue: Part II of the Metaphysic of Morals,” reprinted in *Moral Dilemmas*, ed. Christopher Gowans (Oxford University Press 1987), pp.39, original italics.

⁷ Mill, “Utilitarianism and Moral Conflicts,” in *Moral Dilemmas*, ed. Christopher Gowans (op. cit.), pp. 55.

⁸ However, it is worth noting that there is nothing essential to the principle of utility that necessarily requires such singular outcomes. That is, it is not clear why two mutually exclusive options could not each result in the same net hedonic value. Furthermore, it may be pointed out that such moral dilemmas have also presented a potential challenge to aretaic frameworks as well: note the apparent difficulty of fusing Aristotle’s account of the social virtues detailed in the early books of his *Nicomachean Ethics* with his injunction to the contemplative life in Book 10.

⁹ Thomas Nagel has expressed this point by noting that, “since personal motives and impartiality can conflict, an ethical theory has to say something about how such conflicts are to be resolved.” See Nagel, “Moral Conflict and Political Legitimacy,” *Philosophy and Public Affairs* vol.16 (1987).

¹⁰ “Ecological validity” here refers to the objection that conclusions derived from inorganic and stipulative contexts (i.e. artificial experimental scenarios or abstract

thought-experiments) are not applicable outside of those contexts. See J.J. Gibson, *An Ecological Approach to Visual Perception* (Erlbaum Publishers 1979).

¹¹ Peter Singer in particular is well-known for his urging an expansion of our ordinary moral complacency. See his *Practical Ethics* (Cambridge University Press 1999), chapters 8-9. Note furthermore that this problem is not exclusive to a consequentialist account; deontological theories must also come to terms with why tolerating, say, world hunger does not constitute using hungry people as mere means. Thomas Nagel has surveyed similar sorts of intractable moral conflicts, cf. Nagel, “The Fragmentation of Value,” *Mortal Questions* (Cambridge University Press 1979).

¹² Williams, “Ethical Consistency,” in *Moral Dilemmas*, ed. Christopher Gowans (op. cit.), pp. 129. For further explication of Williams’ conception of the sort of moral motions triggered in Jim’s dilemma, see Stephen de Wijze’s “Tragic-Remorse—The Anguish of Dirty Hands,” *Ethical Theory and Moral Practice*, vol.7, no.5 (2005), pp.453-471.

¹³ Neglecting the personalization of responsibility in scenarios of tragic dirty hands leaves Williams open to an objection about the plausibility of his description of Jim’s plight—for as Earl Conee has argued, “There is no need to attribute moral dilemmas in order to justify powerful negative sentiments in these cases...abhorrence of the ensuing evils is fitting.” See Conee’s “Against Moral Dilemmas,” in *Moral Dilemmas*, ed. Christopher Gowans (op. cit.), pp.247.

¹⁴ Patricia Greenspan has also importantly defended the position that Williams’ remainder is best analyzed as guilt. However, on her analysis such a remainder is produced primarily as a byproduct of the overly-simplified way we teach and learn moral

principles; and is not generated directly by the tragic moral dilemmas themselves. See Greenspan's *Practical Guilt: Moral Dilemmas, Emotions, and Social Norms* (Oxford University Press 1995). Cass Sunstein has also influentially drawn attention to the ways in which overly-simplistic “moral heuristics” which function well in a majority of situations, may generate errors in moral judgment in certain specific situations. See Sunstein's “Moral Heuristics,” *Behavioral and Brain Sciences* vol.28, no.4 (2005).

¹⁵ Such a distinction is central to Aristotle's own account of moral praise and blame, particularly for actions performed through ignorance. Aristotle classifies these actions not as involuntary, but not quite fully voluntary either. Such “non-voluntary” (*ouk hekousion*) actions are to be evaluated primarily by how the agent feels after learning their consequence. Thus, the agent who feels bad after the fact is morally forgiven, while the agent who does not feel bad incurs blame. See *Nicomachean Ethics* 3.1.13.

¹⁶ cf. Thomas Nagel, “Moral Luck,” in *Mortal Questions* (Cambridge University Press 1979), pp.24-38.

¹⁷ The “ought implies can” principle is generally credited to Kant who observes that: “Taken objectively, morality is in itself practical, for it is the totality of unconditionally binding laws according to which we ought to act, and once one has acknowledged the authority of its concept of duty, it would be utterly absurd to continue wanting to say that one cannot do his duty. For if that were so, then this concept would disappear from morality.” See Kant, *Perpetual Peace and Other Essays*, ed. Ted Humphrey (Hackett Publishers 1983/1795), first appendix. Note that Aristotle interestingly and soberly eschews this view. For Aristotle, luck is a feature that directly affects the extent to which one achieves *eudaimonia* (cf. *Nicomachean Ethics* 1.9.1-11). Indeed, it has been on such

grounds that contemporary Virtue Ethicists have expressed a certain preference for Stoicism over Aristotelianism—e.g. Julia Annas, “The Structure of Virtue,” in *Intellectual Virtue*, eds. Michael DePaul and Linda Zimmerman (Oxford University Press 2006), pp. 15-34. It is not the purpose of this paper to engage this debate nor to undertake an exegesis of Aristotle’s view of moral luck. However, I do think it is an implication of the thesis defended in this paper that Aristotle’s ethics have an advantage over Stoic systems, as the former seem better equipped to accommodate the reality of tragic dirty hands.

¹⁸ cf. Michael J. Zimmerman, *The Concept of Moral Obligation* (New York: Cambridge University Press 1996).

¹⁹ Bas van Fraassen, “Values and the Heart’s Command,” *Journal of Philosophy* 70.1 (1973).

²⁰ Although W.D. Ross probably overstates this point when he claims that such impracticality would thereby, “out an end to all ethical judgment.” See Ross, *Foundations of Ethics* (Oxford University Press 1939), p.60.

²¹ Hilary Putnam has expressed a version of such relativism by appeal to pragmatist considerations about the status of “abstract entities” (e.g. mereological sums). Putnam notes, for instance, that it is purely a matter of *convention* whether we treat such entities as “real” or not. This pragmatism allows to Putnam to articulate a framework for value judgments that is non-committal ontologically (see his *Ethics without Ontology*, Harvard University Press 2005, p.37). The difference between Putnam’s account and the pluralistic realism defended here is therefore a difference over the corresponding semantic theory of moral judgments—for Putnam’s is partially “realist” only insofar as

he believes that the conventions that undergird moral judgments must at least be constrained by a convergence of information which he believes would characterize an idealized epistemic situation. Putnam calls this view “internal realism” and it should be distinguished from the more traditional understanding of moral realism intended in this essay. See Putnam’s *Reason, Truth, and History* (Cambridge University Press 1981).

²² Wong, *Natural Moralities* (Oxford University Press 2006). Patricia Greenspan also seems to paint a similar picture in her *Practical Guilt* (op. cit.), but under the guise of metaethical *realism*. However, note that the “realism” Greenspan defends is itself dependent on artificial, socially-created facts about human emotional experiences and interactions which more traditional realists might not accept.

²³ e.g. Simon Blackburn, *Essays in Quasi-Realism* (Oxford University Press 1993) or Alan Gibbard, *Wise Choices, Apt Feelings* (Harvard University Press 1990). This is also the reason why Putnam’s “internal realism” (see note #21 above) falls somewhat sort of realism proper (Putnam op. cit. 1981).

²⁴ For this sort of normative usage of “pluralism,” see John Kekes, *Pluralism in Philosophy: Changing the Subject* (Cornell University Press 2000).

²⁵ Of course, pluralistic realists are by no means alone in this eschewal of logical inconsistency. Traditional monistic versions of realism may also resolve moral conflicts into merely practical inconsistencies. The Catholic doctrine of “double effect” (according to which active performances possess a different moral standing than passive allowances) is one such version. For example, there may be a practical inability in some circumstances to both preserve a fetus and save the life of its mother at the same time; but by differentiating one as a foreseeable, but logically independent “double effect” of

acting on the other, logical inconsistencies may be dodged. But again, the difference with this traditional monistic realism and the pluralist position I defend concerns the justification of the personalized guilt I have argued is morally significant: the monist’s fancy footwork marshaling the doctrine of double effect may show how a dilemma is not logically contradictory, but it has not made clear *why* the agent ought to feel guilty for tragically bringing about such double effects.

²⁶ Shweder and Haidt, “The Future of Moral Psychology: Truth, Intuition, and the Pluralist Way,” *Psychological Science* 4, no.6 (1993), p.360-365.

²⁷ Haidt, “Intuitive Ethics: How Innately Prepared Intuitions Generate Culturally Variable Virtues,” *Daedalus* (2004), pp.55-66. The specific modules Haidt identifies are: suffering, hierarchy, reciprocity and purity.

²⁸ cf. Markus, H.R. and Kitayama, S. “Culture and the Self: Implications for Cognition, Emotion, and Motivation.” *Psychological Review* 98 (1991), pp.224-253, who observe that Japanese respondents identify “social harmony” as a fundamental value distinct from justice. See also Miller, J.G. and Bersoff, D.M. “Culture and Moral Judgment: How Are Conflicts between Justice and Interpersonal Responsibilities Resolved?” *Journal of Personality and Social Psychology* 62 (1992), pp.541-554 for an investigation of Indian mores concerning the moral importance of social role expectations.

²⁹ In essence, this argument is a (very crude) version of Donald Davidson’s “principle of charity” in Davidson, “On the Very Idea of a Conceptual Scheme,” in *Inquiries into Truth and Interpretation* (Oxford: Clarendon Press 1974/1984), ch.13. For a more rigorous application of charity to the hermeneutics of cultural differences, see Michelle Moody-Adams, *Fieldwork in Familiar Places* (Harvard University Press 1997).

³⁰ Boyd, “How To Be A Moral Realist,” *Essays on Moral Realism*, ed. Geoffrey Sayre-McCord (Cornell University Press 1988), pp.181-228. Susan Wolf has also suggested the possibility of a pluralistic moral realism, although her account is based on her contention that “the realm of moral facts will contain pockets of indeterminacy.” See Wolf, “Two Levels of Pluralism,” *Ethics* 102 (1992), pp.788. Putnam’s view of “conceptual pluralism” employs a similar strategy—namely, that we recognize the reality of different entities by gerrymandering our concepts in different ways, in different contexts and for different purposes (cf. note #21 above; Putnam op. cit. 2005).

³¹ An excellent discussion of the relationship between Aristotelian tragedy and moral realism can be found in Jonathan Lear’s essay “Testing The Limits: The Place of Tragedy in Aristotle’s *Ethics*” as well as Stephen Halliwell’s response to Lear—both contained in *Aristotle and Moral Realism*, ed. Robert Heinaman (Westview Press 1995). Note, however, that both Lear and Halliwell conclude that tragedy is largely antithetical to moral realism.